IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 643 of 1994

For Approval and Signature:

HON'BLE MR JUSTICE KS JHAVERI

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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GUJARAT STATE ROAD TRANSPORT CORPORATION & 1 - Petitioner(s)

Versus

RATANSI CHAPSI VED - Respondent(s)

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Appearance :

MR HS MUNSHAW for Petitioner No(s).: 1 & 2

MR MUKESH H RATHOD for Respondent No(s).: 1.

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CORAM : HON'BLE MR JUSTICE KS JHAVERI

Date : 02/08/2005

ORAL JUDGMENT

1.0 The petitioner Corporation has challenged the order dated 29.04.1993 passed by the Industrial Tribunal,

Rajkot in Misc. Application No. 3 of 1993 in main Reference (IT) No. 1 of 1993, whereby the petitioner was directed to permit the respondent to discharge his duties till 31.07.1993 and expedite the main Reference.

2.0 The respondent herein was working as a Junior Assistant with the petitioner Corporation. It is the case of the petitioner that the respondent filed the aforesaid reference before the Industrial Tribunal praying to direct the petitioner to permit the respondent to discharge his duties till he attained the age of 60 years i.e up to 31.01.1995.

2.1 In the meanwhile, since the respondent apprehended that he would be asked to retire from the service on his completing the age of 58 years, he filed an application in the main Reference praying to direct the petitioner to permit him to discharge his duties till he completes the age of 60 years. The said application was disposed of by the Tribunal vide order dated 29.03.1993. Hence, this petition.

3.0 I have heard learned counsel for the parties and perused the documents placed on record. While admitting

the matter on 19.01.1994, this Court had stayed the operation of the impugned order. Since the main Reference in question is still pending, in the interest of justice, it would be appropriate to direct the Tribunal to dispose of the same, as expeditiously as possible, while continuing the interim relief granted by this Court vide order dated 19.01.1994.

4.0 In above view of the matter, the Industrial Tribunal, Rajkot, is directed to dispose of the reference being Reference (IT) No. 1 of 1993, as expeditiously as possible and preferably within a period of one year from the receipt of writ of this order. The interim relief granted by this Court vide order dated 19.01.1994 shall continue till the said Reference is disposed of. Rule is made absolute to the aforesaid extent with no order as to costs.

(K. S. JHAVERI, J.)

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